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C O N F I D E N T I A L BEIJING 001211

SIPDIS

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TAGS: PREL PBTS PARM PM CH

SUBJECT: PRC "OPPOSES" USNS VICTORIOUS PRESENCE IN CHINA'S
EEZ

Classified By: Charge d'Affaires a.i. Dan Piccuta. Reason 1.4 (b) and (d).

¶1. (C) Ministry of Foreign Affairs Director General for North American and Oceanian Affairs Zheng Zeguang called the Charge to meet for coffee May 6 and during that meeting expressed "firm opposition" to the presence of the USNS Victorious in China's Exclusive Economic Zone. Referring to statements by the U.S. Department of Defense Spokesman May 5, Zheng noted that the United States had publicly referred to harassment of the USNS Victorious by Chinese fishing vessels and had said that the United States and China will handle the issue through diplomatic channels. Reading from several pages of Chinese talking points, Zheng declared that it was "the consistent position" of the PRC that ships carrying out "scientific research" were subject to the UN Convention on the Law of the Sea and Chinese law and regulations. The operations of the USNS Victorious, Zheng said, were in violation of those laws and regulations because the USNS Victorious was not granted permission to conduct its activities in the EEZ. China was firmly opposed to USNS ships conducting activities in China's EEZ without permission, and the United States should stop such activities and prevent similar incidents in the future.

¶2. (C) Leaving his prepared script, Zheng stressed that it was "in the interests of bilateral relations to handle these cases through diplomatic channels." He said that, in the event of an incident, the diplomatic channel was "always open." Addressing this issue "through loudspeakers" was "counterproductive, not constructive." Because of the press coverage of the U.S. remarks, the Chinese side was "obliged" to react, Zheng said. "From the reports, you can see it was not the Chinese intention to have this kind of incident," Zheng added.

¶3. (C) Comment: The atmospherics, including Zheng's body language and the setting of the demarche at a coffee shop rather than a formal MFA meeting room, suggested that Zheng wanted to play down the significance of the representation. We believe the second set of points, in paragraph 2 above, was the MFA's way of asking the United States to allow both sides to finesse the EEZ issue by not publicizing encounters between Chinese fishing boats and U.S. ships.

PICCUTA